REMARKS

The Official Action of July 12, 2005, entirely in the nature of a restriction requirement, has been carefully reviewed. The claims in the application are now claims 1-20, and these claims should all be examined together. Applicant respectfully requests withdrawal of the restriction requirement and examination of all the claims on the merits.

Applicant has claimed priority of the corresponding Taiwanese application filed December 3, 2003, and a certified copy of the priority application was filed in the PTO on September 24, 2004. Accordingly, applicant respectfully requests the PTO to acknowledge receipt of applicant's papers filed under Section 119.

New claims 19 and 20 have been added for the purpose of more clearly tying together Groups I and II. New claim 20 is a method claim which defines the resultant product to be exactly the same product as recited in claim 16 of Group II. Claim 19 is a fabric claim according to Group II in the form of a hybrid product-by-process claim in the sense that it adds to the structural recitations the characteristics which are inherent in carrying out the process of claim 1. These claims are patentable for the same reasons as the claims from which they depend.

Restriction has been required between what the PTO deems to be two (2) patentably distinct inventions. As applicant must make an election even though the requirement is traversed, applicant hereby respectfully and provisionally elects Group II directed to the carbon fabric, presently claims 16-18 plus new claim 19, with traverse and without prejudice.

The Office Action states that the product "as claimed can be made by another and materially different process", namely

> by knitting or by forming the fibers into a non-woven fabric. The product as claimed can also be made by preparing the fabric from fibers that have previously been carbonized."

New claims 19 and 20 obviate these differences. Accordingly, the restriction requirement should now be withdrawn.

However, even without claims 19 and 20, the requirement should be withdrawn and all the claims examined on the basis of the second paragraph of MPEP 803 which **requires** a search and examination of an entire application, even when the restriction requirement is correct, if it would not constitute a serious burden to do so. Applicant recognizes that non-elected Group I is separately classified from elected Group II, according to what is stated in the Office Action, but applicant submits that a complete search of the elected Group

II claims would require consideration of claims 1-15 as well, and a search in Class 156, sub-class 89.26. Once this is done, it would then not constitute a "serious burden" to examine claims 1-15 and 20 along with claims 16-19.

Applicant respectfully requests favorable consideration, and respectfully awaits the results of a first examination on the merits.

Respectfully submitted,

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